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January 31, 2023

Javier Soto-Arocho
Tort Claims Administrator
1720 Market Street, Room 2400
St. Louis, MO 63155-9948

Denita McCoy
Tort Claim Coordinator
USPS National Tort Center
1720 Market Street, Room 2400
St. Louis, MO 63155-9948

Cori Anika Bush
U.S. Congresswoman
6724-A Page Ave.
St. Louis, MO 63133

Re: Our Client: Thomas Solly
Date of Injury: March 16, 2020
Claim Number: NT202218285

Dear all,

On February 21, 2022, our firm submitted a demand on behalf of Mr. Thomas Solly to USPS National Tort Center regarding injuries Mr. Solly sustained when he was rear-ended by a USPS employee on March 16, 2020. The demand package was delivered on February 28, 2022.

One month later, on April 5, 2022, we received a letter from USPS Tort Claim Administrator Javier Soto-Arocho acknowledging receipt of the demand and promising to complete an evaluation “as soon as possible.” Mr. Soto-Arocho warned that USPS “has six months from February 28, 2022 in which to adjudicate the claim”—so until August 28, 2022 *at the latest*.

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On August 24, I called Mr. Soto-Arocho to get an update on the case. During the call, Mr. Soto-Arocho explained that the limitations period for a personal injury claim against USPS is tolled until pre-suit negotiations fail. As to Mr. Solly's claim specifically, he assured me an evaluation would be completed "in the next two months." He suggested that I call back in 30 days to follow up.

On that advice, I called Mr. Soto-Arocho 30 days later, on September 30, and left a voicemail requesting an update. I called again on October 20 and left a message to the same effect. Mr. Soto-Arocho never called me back.

On November 7, I managed to get through to the tort claim coordinator, who told me she would reach out to Mr. Soto-Arocho to determine the status of the claim. This was my last direct correspondence with anyone from your office.

Between November and January, I called Mr. Soto-Arocho no fewer than ten times, and all of my calls went to his voicemail. On January 24, I discovered that Mr. Soto-Arocho's mailbox was full.

As of today, our office has not received a single call or correspondence from Mr. Soto-Arocho or the USPS National Tort Center since the April 5, 2022 acknowledgement letter. It has been 34 months since Mr. Solly's accident, eleven months since we submitted Mr. Solly's demand, five months since USPS was to finish its evaluation, and three months since our firm communicated anyone at USPS's National Tort Center. Understandably, Mr. Solly's patience is beginning to wear thin. As is ours. His claim is straightforward and capable of resolution on the demand we submitted a year ago. There is no justification for the delay.

Accordingly, we now request a phone conference with either Mr. Soto-Arocho or another representative from the National Tort Center to discuss the status of this claim. We ask that the conference be held no later than Thursday, February 9, 2023, ten days from today.

Please contact Mr. Drew Legando at drew@merrimanlegal.com to schedule the call.

Very truly yours,

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A handwritten signature in black ink, appearing to read "Dylan Ford, Esq."

Dylan Ford, Esq.

Enclosures

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